

1636

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Werner LUBITZ et al

Serial Number: 09/147,693

Filed: February 17, 1999



Group Art Unit: 1636

Examiner: Sandals, W.

5/B  
10/3  
12/22/99

For: NEW SYSTEMS FOR THE REGULATION OF GENE EXPRESSION

**RECEIVED**

DEC 21 1999

**RESPONSE UNDER 37 C.F.R. §1.111**

Assistant Commissioner for Patents  
Washington, D.C. 20231

December 17, 1999

TECH CENTER 1600/2900

Sir:

In response to the Office Action dated September 17, 1999, please amend the above-identified application as set forth below.

**IN THE SPECIFICATION:**

Page 19, line 19, after "sequence" insert --SEQ ID NO:11--.

**IN THE CLAIMS**

Please cancel claims 1-37 without prejudice or disclaimer.

Please add the following new claims to the application.

--38. A method for selecting OR or OL operator DNA sequences from lambdoid phages wherein said sequences have a different thermostability compared to a wild-type sequence with regard to binding a repressor, comprising

- (a) preparing a DNA cassette which contains a selection gene under the operative control of an expression control sequence comprising at least one OR or OL operator DNA sequence from a lambdoid phage and a promoter,

①  
Bx